

CERMAK | KENEALY LLP

AN INTELLECTUAL PROPERTY MICROBOUTIQUE™ LAW FIRM

Shelly Guest Cermak

+1 703 778 6608 (V)

+1 703 652 5101 (F)

scermak@cermak-kenealy.com

515-B E. Braddock Road
Alexandria, VA 22314 USA

January 17, 2007

Atty. Docket No. US-109

In re application of: HIRANO et al.

Application. No.: 10/784,986

Filing Date: February 25, 2004

Title: Novel Lysine Decarboxylase Gene and Method for Producing L-Lysine

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

Sir:

Transmitted herewith is a revised Appeal Brief in response to the Notice of Non-Compliant Appeal Brief issued on January 12, 2007 in the above-identified application. Applicant confirms that the revised Appeal Brief contains the items required under 37 C.F.R. 41.37(c).

The fee under 37 CFR 1.17(c) for filing a brief in support of an appeal was previously paid on November 30, 2006.

The fee under 37 CFR 1.17(d) to request for oral hearing is enclosed.

An extension of time petition and the request fee of _____ for _____ months is enclosed.

The above fees are submitted via the following payment method:

Please charge Deposit Account No. _____ in the amount of \$ _____.

A check in the amount _____ is enclosed, including to cover any extension of time fee.

Credit Card identified in the EFS-Web process authorizing \$ _____, including to cover any extension of time fee.

The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to

- Deposit Account No. 50-2821
- the credit account identified in EFS-Web processing.
- Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 C.F.R. § 1.17.
- Any Extension of Time fee.

U.S. P.T.O. Customer No. 38108

Cermak & Kenealy, LLP
515 E. Braddock Road, Suite B
Alexandria, VA 22314
703.778.6608
January 17, 2007

Respectfully submitted,



Shelly Guest Cermak